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3-17-03

10205.030
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : Examining Group: 2644
Harrow et al. : Examiner: R.P. Singh
Serial No.: 09/803,551 : Date: March 3, 2003
Filed: March 9, 2001 :
For: Transmit/Receive Arbitrator

Technology Center 2644
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Ronald G. Wille 03.03.03

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RESPONSE

Honorable Commissioner of Patents and Trademarks,
Washington, D.C. 20231

SIR:

In response to the Office Action dated February 26, 2003, applicants hereby elect without traverse the invention defined by claims 1–6 for further prosecution.

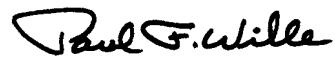
Although phrased as an election requirement, the Office Action is being interpreted as a restriction requirement. Species are related inventions, such as alternative methods for producing the same result; sometimes represented as ABC₁ and ABC₂. The question is whether the combination ABC (i.e. a generic claim) is allowable. That is not the situation here. Claims 7 and 8 recite apparatus that can be used to implement claims 1–6 but not the only apparatus. The apparatus claims could be represented as clauses DEF. There is no genus/species or combination/

subcombination relationship because the function performed by the apparatus recited in claims 7 and 8 is not recited in claims 1–6.

It is respectfully requested that the restriction be repeated and made final.

It is respectfully requested that an early and favorable examination be made of claims 1–6.

Respectfully submitted,



Paul F. Wille
Reg. No. 25,274
Attorney for Applicant

6407 East Clinton Street
Scottsdale, AZ 85254
tel.: 602 549–9088
fax.: 480 778–0304